Exhibit 26

JAN-10-2008 16:36 P.01/01

St. Luke's Roosevelt

University Hospital of
Columbia University College
of Physicians & Surgeons

St. Luke's-Roosevelt
Hospital Center
Roosevelt Division
1000 Tenth Avenue
New York, NY 10019
Tel: 212 523 4000

Mark V. Sherrid, MD, FACC, FASE
Director, Echocardiography Laboratory, Roosevelt Division
Program Director, Hypertrophic Cardiomyopathy Program
Associate Professor, Clinical Medicine
Columbia University, College of Physicians & Surgeons
Msherrid@chpnet.org
212 523-7372 Fax 212-523-7765

1/10/08

Att Michael Ridolfi,
United Parcel Service

Regarding John Welsh

As you know John Welsh is a long time patient of ours who has a heart condition and an internal cardiac defibrillator (ICD). As in our previous correspondence he should not lift packages more than 40lbs in weight.

He is having surgery on Monday 14th January.

Once he is better he should be able to work up to 10 hours a day. He is currently restricted to no more than 8 hours.

If you need any more information please do not hesitate to call me.

Yours Sincerely,

Mark V Sherrid, MD, FACC, FASE
Director of Echocardiography lab
Program Director HCM Program
Professor of Clinical Medicine, Columbia College of Physicians and Surgeons

Continuum Health Partners, Inc.

Beth Israel | Roosevelt Hospital | St. Luke's Hospital | Long Island College Hospital | NY Eye & Ear Infirmary

TOTAL P.01

Exhibit 27

Gordon Irene (MCK4KQV)

From:	ADS-UPSWKAB@AETNA.COM
Sent:	Tuesday, March 18, 2008 2:55 PM
To:	UPS US OCC HEALTH 0726
Cc:	godboltt@AETNA.COM
Subject:	Disability Update, EE: JOHN K WELCH, DIV: 0726, New York

"DO NOT REPLY TO THIS EMAIL ADDRESS. PLEASE REPLY DIRECTLY TO THE EXAMINER LISTED BELOW".

Date: 03/18/2008

EE Name: JOHN K WELCH

Pref Cont #: 5162202227

Employee's ID Number: 0366165

Plan Name: FLEXIBLE BENEFITS PLAN

Region/District: 0726

Claim Number: 1029301

First Day Absent: 12/18/2007

Disability Date: 1/11/2008

Benefit Begin Date: 1/11/2008

Approved Through: 04/13/2008

Next Office Visit:

*Project return to Work: 04/14/2008

Only one of the following values will be displayed upon creation of task/document

----

''' common text

Claim Status: Approved

Reason: Disability Supported

Return to work Information:

Work Status: Not At Work

Description:

''extension of approved Benefits

Thru Date:04/13/2008

----

*The Projected Return to Work Date is our estimation of when the employee can return to work based upon the medical information available at this time. Therefore, this date may change as new information becomes available.

Additional Information:

****

I will be handling this case and will advise you of any anticipated or actual releases to return to work. Should the employee return to work and you have not received notification from Aetna, please let us know so we can stop any payment or payment authorization from Aetna.

****

Claim owner Name: TRACY GODBOLT

Claim owner Phone: 1-866-825-0186 extension 6932153

Claim owner Fax: 1-860-907-4441

Claim owner Email: godboltt@aetna.com

This e-mail may contain confidential or privileged information. If you think you have received this e-mail in error, please advise the sender by reply e-mail and then delete this e-mail immediately.
Thank you. Aetna

Exhibit 28

From: John Welch [mailto:nymarine1@yahoo.com]
Sent: Thursday, January 24, 2008 3:13 PM
To: Ridolfi Michael (NYC2MXR)
Subject: John Welch

Mike,

I am confused at this point. You claim I was on disability while I was working in the past 6 months. You seem to think that the restriction of my hours places me in that capacity, of which I disagree. I am now told that I must call in a long term disability claim, and I believe that is certainly not appropriate. I was cleared by my doctor for the sleep apnea. This past surgery constitutes a new claim. I am prepared to return to work, and now I am told I can not. It seems to me that someone is unaware of the laws that pertain to the ADA. By the way, the HRIS system never had me classified as being on disability.

I think it is very important to note what precipitated the request for accommodations six months ago. I was placed on the Nassau Preload, and forced to handle packages all night because of insufficient staffing. I was a victim of circumstance, but I was also not protected by those in Human Resources who were in receipt of numerous doctors notes, each explaining that a job of that nature is placing me at "considerable risk of sudden death"! If anyone was responsible for me blacking out, then it certainly needs to be viewed by a neutral and impartial party. I had filled out the ADA request with Alma Franco, and I will certainly entertain the opportunity for you to reach out for her to validate that occurrence. Perhaps Kevin Dilibero can answer why I was placed in a job outside of my restrictions, after having filled out the ADA paperwork with an HR manager. It was not me who failed to see the process through to the end.

Now I am being told that my pay will be affected because my doctors did not provide ample information so that I may be cleared to work. I have also received documents indicating that my benefits will be cut. The sleep apnea has been addressed and all pertinent information was forwarded to you. This past surgery has nothing to do with the sleep apnea. I suggest that you get the story straight before considering that I am negligent in providing medical proof, or perhaps classifying this as a "long term" disability.

I have done all I can to make the Long Island District Human Resources Department aware of the illness that has taken the lives of my brothers at a cruel young age. This illness does not tolerate the activities that I was forced to undertake while on the preload. I can function in many capacities, but lifting and sorting packages for three hours a night was certainly an invitation to the circumstances that caused my brothers to die. I just wanted to go do the job that was charged to me, as I have always done.

I am unafraid of the apparent retaliation and disability discrimination that I am presently exposed to, and I will have no problem taking this to a higher level. In the past, I have spoken to Kevin Dilibero, and that is exactly where it ended. It might be important for the HR Department to reflect back on allegations I have made in the past with regard to discriminatory behavior that I was subjected to. Foster Div. Mgr. Tom Cuce, in the presence of witnesses, told me that my illness was causing a problem to him, and that he doesn't have a job for someone like me. He mentioned that he needed to weigh whether he needed to feed his kids or my kids. He told me that it was his kids that will be eating and not mine. By the way, the witness is willing to bring testimony if necessary. I was asked by Cindy Miller, then the Div. Mgr. of Foster Avenue, as to what medications I was taking. She wrote them down, and promised to look into the fact that it was perhaps effecting my intensity. This came to her through an allegation made by then Supervisor, Tom Soregaroli, who reported to me. Incidentally, I was busted a week later, without cause. I tried to fight, but chose to walk away quietly. Perhaps I was discriminated against, and I am now financially burdened by the reduction to supervisor for the past 8 years.

I am over 40, disabled, and a veteran! I know my rights, and I can surely prove that the only thing I have done wrong, was to get sick. Dr. Sherrid's office has faxed information to Dr. Hershey, but refuse to divulge the details, as they do not want to violate the HIPA laws. You might want to read the article I have attached. I am tired of being made to feel that I have done something wrong. All I want is to be able to do a job with fear of unwarranted attack, something that is seemingly prevalent in the Long Island District. I don't know what to do at this point. Should I involve Norm, the Board of directors, the V.A., a legal entity; or should I once again allow the HR Department to fail me once again?

Never miss a thing. Make Yahoo your homepage.

Exhibit 29

Date: Jan 31, 2008
To: File
From: Kevin Dilibero
Subj: John Welch - Meeting

On Jan. 31, 2008 a meeting was held with John Welch with Doug Trandak (ERM) present. I explained to John the purpose of the meeting was to clarify John's misunderstanding of his status and to address the concerns regarding his uncooperative behavior with not following through with requests from the medical department and keeping his manager informed.

To summarize the discussion, I reviewed the following issues with John:

- He must keep us informed when he is absent from work. He has failed to do this with his manager and it is well documented.
- I gave John an explanation of how the disability process works for Income Protection Plan and told him that objective medical information is reviewed by Aetna and that a determination of approval/denial is made by Aetna.

– I explained to John that no one has discriminated against him as he alleged. I said we have tried to work with him but the cooperation must work both ways. John agreed and said that he does over react sometimes.

– I told him his assertion that I placed him on the Nassau preload is false. He was the one looking to get out of safety and spoke with the division manager and an arrangement was made by Jim Kirk to help out John and work on the Nassau preload. It was arranged to accomodate John to fill a need on the Nassau preload.

– I told John that he must not make assumptions based on his confusion of the facts. Moreover, his misunderstanding of our intentions to help him work through this is just complicating the matter. I told him that we need his cooperation so that his medical issues can be addressed according to the ADA process.

– I told John we want to work with him on his issues but it requires his help to cooperate with us and it will lead to a reasonable solution. I asked John to call us anytime with any questions and the meeting ended on a positive note.

Exhibit 30

30

1/31/08 11:29 AM

Delibero calling Welch on his cell
Translator present
He ans:
Left mss for him to call him back
John says he called him
Thought Kevin was on A.C.C
Didn't call him back
→ What's your status right now
Loc. Manhattan
→ You can meet with me, right
→ Are you amicable now?
Come to Foster
Need to iron out some things
Will be helpful to talk these things out
How long?
In an hour
Just talk about some issues
Thinks there's some confusion
11:32

VOICE MAIL 8 OVER WKEND - CONCERNS ME
CONFUSION)

KSUW -
FIRST OFF -
DONT MIND DOING HEARING
ASA V LIST IN JULY - RIDOL/MARSH
8 HR REST / 40 LB LIMIT
THAT puts you on disability
" I didnt know that "

Mike told you it would be ok to go on LT
didnt think I was on STD

K We do the right thing
dont know if U understand it
once on LTD have to notify AETNA
then salary goes down to 50-60%
Taken back on your response
& show U what he wrote

→ V LIST ATTY -
SPD Guidelines -
Pay is stopped STD To LTD
→ Rudolfo told U

J I was [illegible] for the sleep apnea, I was cleared for that

→ this [illegible] doesn't resolve ADA issue
— Jury 26 Wendy & MIKE
→ restless leg syndrome & sleep [illegible]
if 8 Hr rest he would not need an ADA accommodation
8 Hr puts him on road duty

Jan 4 Val & ~~Mike~~ Irene & Mike
John said sleep apnea was resolved
& Hrs rest ~~[illegible]~~ removed —
He didn't have the documentation

1/7 Mike & Val [illegible]
discuss return from residual duty
contacted Dr's office - [illegible]
his STD expired
need to get a note
w/o note - transition to [illegible]

J called Aetna
Aetna would not let him call it [illegible]
Cardiologist sent a note - clearing sleep apnea
[illegible] from sleep doctor
I know now I was on STD

J Thought I was being told to cut our LTD
Cause of New one

K in good faith - I had your pay restored
to help you get it

J think my wife got it

→ React in a negative way when I am backed
into a corner -
I say things don't Mean -

K You have to be cooperative
& follow thru on what U say -

In good faith I
Your STD would have expired

→ even though I never worked 8 hrs -

K you have to comply by that
If a valued employee
- Saying things that Concern us

J Past Come Back
Case, Miller

J | When I have perceived pressure
reflected Brab

K | John you have to be carefull what u say
Things getting back to me
Listened to V/m

J | original ADA process was dropped

K | Mentioned Aura
Dont know what she did
Y have a generic heart?

J | Found out @ 35 genetric heart, 34
when my Brothers [illegible] died – did research
Might have dealt it didnt know it

J | Yeah 34 10 yrs ago

K | Others [illegible] thing
your s/w [illegible] or Kirk

J | Yeah Kirk

K | was between Kirk & [illegible] – thats it
they [illegible]
[illegible] Jim say he would do work with you

J | [illegible] – [illegible] to preload [illegible] yeah

J Not sure how it works
Then there a notion its not correct
that when my emotions get in

K Theres nothing here are trying to do

J in the future can I get knock on your door

K Need to work with your mgr
you are not assigned to HR
expensed to DIV mtg
I don't do your [illegible] reviews

Rizzo is your direct report

Forest -
9TH TIME
[illegible]
[illegible] OFF

K want to Make sure I understand the STD LTD
process until Aetna determines eligibility
wasn't supposed to reinstate pay

J

Bary when are you getting release
J Maybe in today
D you might have to go to Manhattan to see the
doctor

K | 1BA is a good process

T | [illegible] [illegible] [illegible] [illegible] [illegible] study

K | No one is trying to discriminate ~~retaliating~~

when u r at work - you [illegible]

T | September 19 [illegible] getting [illegible]

[illegible] - Mayo

K | any issues [illegible] u [illegible] [illegible]

not following them

T | no - combination of forces

not in my house

kids

taking anti depressants

increased dosage

K | Telling people y tired calling me

T - just unattached

no one [illegible] up on you

T | Some times I want to [illegible] [illegible] my troubles

K | Dec 31st Ltr

J | OK

K | all I asked for is to keep Bobby informed
1 of my admins said I want Gary L. 4 major surgery

J | He didn't know
I know, you were never told

K | Did you work it out
Pretty truthfull won't work w/o lies,

J | Todd Wiedeshold

K | I left that mtg clear understanding

J | I felt I took a bullet for them
That's behind us
I express myself better in writing than speaking

K | How to be carefull telling
Past clearly disagreement
from talking from before

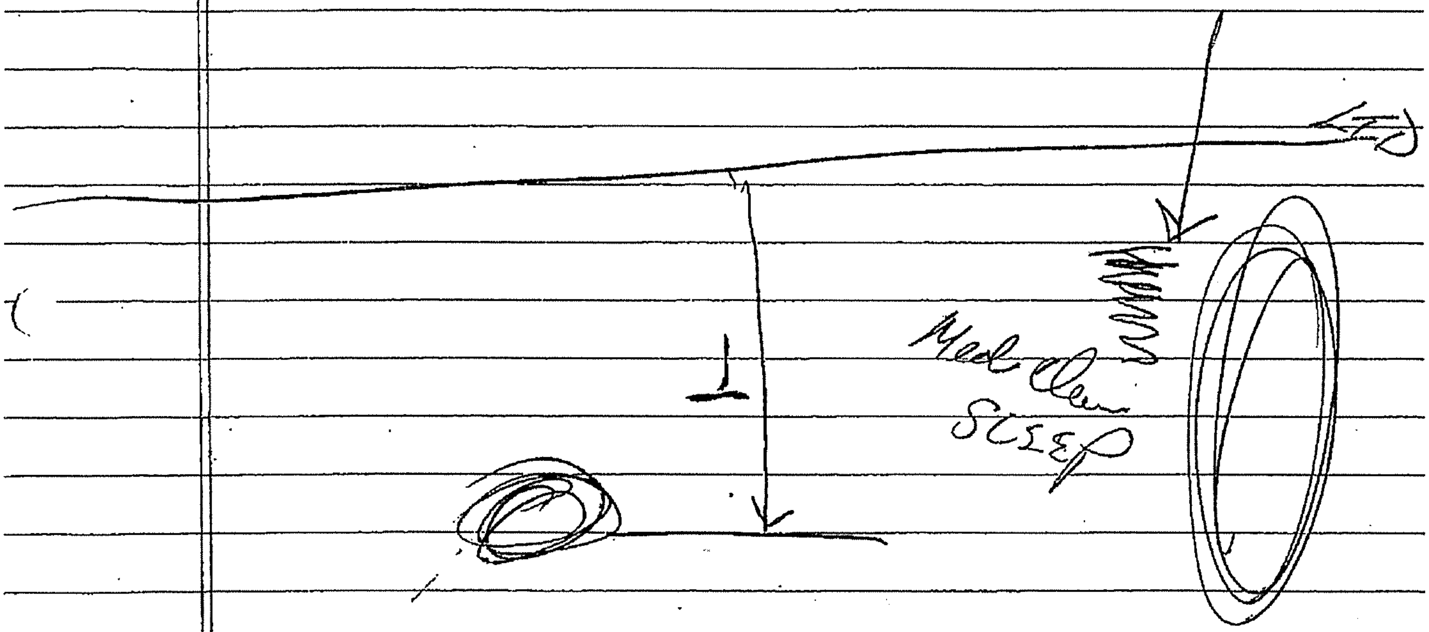
K → [illegible] Mean your thought process
when it spills over to the work place
I will address
remember [illegible] sleeping in Riggs's office
told you about [illegible].

J you were helpfull

K there's protocols to be followed
I [illegible] your frustration

J when Bob B didn't tell u [illegible]
K he knew u were going to be [illegible]
at surgery
K remember [illegible], showed me the infection

K [illegible] you don't



40. LBS → ADA

SLEEP → STD / LTD

6M

Exhibit 31

75 Smith Street
E. Farmingdale, NY 11735
631.756.3841 Tel

February 4, 2008

Mr. John Welch
241 Koehl Street
Massapequa Park, NY 11762

Dear John,

I am in receipt of your January 24th email to Mike Ridolfi, and wanted to take this opportunity to clear up any confusion you may have with regard to your employment status. As an initial matter, you seem to disagree that you were "on disability" during the previous six months in which you were performing work for UPS. Our records do, in fact, reflect that you were approved for short-term disability ("STD") benefits from July 2, 2007 through December 30, 2007 under UPS's Income Protection Plan ("IPP"). The medical documentation you provided indicates that during this period of time, you were restricted from working more than an 8-hour day. As you know, the essential functions of your position require that you be able to work at least 9.5 hours per day. As a result, your return to work from July 2, 2007 through December 30, 2007 was under the Income Protection Plan's Residual Disability/Return to Work Program. A Residual Disability assignment does not extend your STD benefit period. Please see the IPP section of the Flexible Benefits Plan Summary Plan Description for further information on Residual Disability. Because your short-term disability benefits expired on December 30, 2007, (and you had not yet filed a claim for long-term disability benefits) you no longer had an approved disability claim and, as such, no longer qualified for residual duty.

You further state in your January 24th email that you were told (1) your pay and benefits would be affected because your doctors had not provided information to clear you to return to work; (2) that your sleep apnea has been addressed; and (3) your past surgery is unrelated to your previous diagnosis of sleep apnea. As such, you disagree that you must now file for long-term disability benefits.

I will try and respond to each of these concerns. First, your pay and benefits were temporarily discontinued because your short-tem disability benefits had expired and you had not yet filed for long-term disability benefits, nor had you returned to work to perform the essential functions of your position. Although not obligated to do so, we have resumed your pay and benefits while we attempt to work with you to resolve this matter.

75 Smith Street
E. Farmingdale, NY 11735
631.756.3841 Tel

Second, you indicated that you have provided documentation to UPS demonstrating that your sleep apnea has been addressed. I assume by this statement that you mean you are no longer restricted to working 8 hours per day. However, as of February 1, 2008, we have not received medical documentation releasing you to perform the essential functions of your position, which requires that you be able to work 9.5 hours per day. If you believe you have sent this information to UPS, I would request that you resend it to my attention, and I will promptly review it.

Third, I would like to respond to your statement that the January 9th letter instructed you that you must file for long-term disability benefits. The January 9th letter to you was in response to the expiration of your short-term disability benefits, which had been previously approved from July 2, 2007 through December 30, 2007. It was explained that with the expiration of your short-term disability benefits on December 30th, you had a number of options available to you. You could either (1) apply for long-term disability ("LTD") benefits under UPS's Income Protection Plan ("IPP"); (2) submit medical documentation to UPS substantiating your inability to return to your regular work duties sufficient to justify placing you on a personal-leave status; or (3) submit sufficient medical information to return to your regular work duties. The letter did not tell you that you were required to file for long-term disability benefits, but rather, that it was an option available to you with the expiration of your short-term disability benefits. At the time that the January 9th letter was sent to you, I did not know that you had filed a second claim for short-term disability benefits that is, per your January 24th email, apparently related to a heart condition. However, I have since confirmed that your second claim for short-term disability benefits, which was filed on December 18, 2008, was later denied on December 20, 2007.

Therefore, let me summarize your current employment status: Your first claim for STD benefits expired on December 30, 2007, and we have no documentation that you have submitted a claim for LTD benefits in connection with this medical issue. Your second claim for STD benefits was filed on December 18th, but denied on December 20th. Currently, therefore, you have no approved claims for benefits with Aetna. Without an approved claim, you are not eligible for the IPP's Residual Duty program. Furthermore, to date, we have not received medical documentation releasing you to perform the essential functions of your job. At this point, you have several options: (1) immediately submit sufficient medical information to Aetna to justify a claim for either STD benefits or LTD benefits under UPS's IPP; (2) submit medical information to UPS to return to

75 Smith Street
E. Farmingdale, NY 11735
631.756.3841 Tel

your regular work duties; or (3) submit sufficient medical information to the Company to meet the requirements for leave under the Family and Medical Leave Act ("FMLA"). If you believe that you may be eligible for leave under the FMLA, please have your physician complete and return the enclosed certification with 15 calendar days of your receipt of this letter. It is important that you respond to this letter with 15 calendar days, or your pay and benefits will be affected, and your job may be placed in jeopardy.

Finally, I would like to respond to your allegations that you have been discriminated and retaliated against based on your medical condition. Let me assure you that your (1) claim for disability benefits under UPS's IPP; (2) your status on residual duty; and (3) your pay have all been handled appropriately. Nevertheless, the Company's policies and practices seek to ensure a working environment in which employees treat each other with respect and dignity and feel comfortable bringing concerns or complaints to all levels of management. Consistent with UPS's policies in this regard, I will investigate the concerns raised in your recent correspondence and, if proven true, also take steps to ensure that appropriate, corrective measures are taken to prevent any future discrimination, harassment or inappropriate conduct. In order to ensure that my investigation is complete, however, it is important that you provide me with a written description of all of the incidents or events that you believe constituted discrimination, harassment, or otherwise inappropriate behavior, including a complete description of the incident or event, the date, time and place that the incident occurred, the names of all individuals involved in the incident, and the names of any witnesses to the incident.

Sincerely,

Kevin DiLibero

Kevin DiLibero,
District HR Manager
Long Island District

KD:gv

Exhibit 32

Gordon Irene (MCK4KQV)

om: Ballowe Valerie (ner1vlb)
nt: Monday, April 21, 2008 10:01 AM
To: Gordon Irene (MCK4KQV)
Subject: RE: John Welch # 0366165

Good decision.

From: Gordon Irene (MCK4KQV)
Sent: Monday, April 21, 2008 9:50 AM
To: Ballowe Valerie (ner1vlb)
Subject: John Welch # 0366165
Importance: High

Hi Jean,

John Welch has not RTW and does not return calls to myself nor Aetna. He has been approved only till 4/13/08 and they plan to deny any further disability however a formal denial will not come through until 4/28/08.

Is there any way you can release his pay only until the 4/13/08 date and should anything change we could then make up the difference.

He may only surface once we cut the salary.

Thanks,

Irene

Exhibit 33

75 Smith Street
E. Farmingdale, NY 11735

May 20, 2008

John Welch
109 Dovecote Lane
Commack, New York 11725

Dear John:

On May 2, 2008 Aetna notified UPS that your claim under UPS's Income Protection Plan had been denied. As a result of Aetna's determination, you have several options: (1) immediately return to your regular work duties; (2) immediately submit sufficient information to Aetna to justify the reinstatement of your STD benefits; or (3) have your physician complete the attached Work Status Form stating that you are unable to return to your regular work duties.

You should understand that it is important for you to respond to this letter within 15 calendar days. If the Company has not heard from you within this time period, your employment may be terminated for job abandonment/failure to report to work without a valid excuse.

If you have any questions, please do not hesitate to contact me at 631- 756- 3828.

Sincerely,

Irene Gordon

Irene Gordon
LI District Occupational Health Supervisor

Exhibit 34

75 Smith Street
E. Farmingdale, NY 11735

May 20, 2008

John Welch
109 Dovecote Lane
Commack, New York 11725

Dear John:

On May 2, 2008 Aetna notified UPS that your claim under UPS's Income Protection Plan had been denied. As a result of Aetna's determination, you have several options: (1) immediately return to your regular work duties; (2) immediately submit sufficient information to Aetna to justify the reinstatement of your STD benefits; or (3) have your physician complete the attached Work Status Form stating that you are unable to return to your regular work duties.

You should understand that it is important for you to respond to this letter within 15 calendar days. If the Company has not heard from you within this time period, your employment may be terminated for job abandonment/failure to report to work without a valid excuse.

If you have any questions, please do not hesitate to contact me at 631- 756- 3828.

Sincerely,

Irene Gordon

Irene Gordon
LI District Occupational Health Supervisor

Exhibit 35

May 21, 2008

Irene Gordon
LI Dist. Occupational Health Supervisor
75 Smith Street
E. Farmingdale, New York 11735

Dear Irene,

Before I elaborate further regarding your most recent correspondence dated, May 20, 2008, I must first impress upon you to share this document with Kevin Dilibero and all necessary parties.

I am in receipt of your letter that states my benefits have been denied by Aetna. (Effective 30 April 2008) After calling Aetna this morning, I discovered the letter had been sent to my previous address in Massapequa. I have updated my personal information to show my current address in Commack, New York.

Tracey from Aetna Disabilities had made me aware of the deadline of April 30th prior to that date. I reached out for Doctor Bahatnagar, and assumed that his commitment to satisfy the delivery of my personal information to Aetna was going to result in that information being received prior to the deadline. I certainly impressed upon him the need to insure that Aetna be provided all supporting documentation. I never received any correspondence from either UPS or Aetna from 30 April 2008 to present.

Your letter states that I must either return to work immediately, submit sufficient information to Aetna disabilities substantiating my continued absence from work, or have the doctor complete the attached work status form. The letter further states that my failure to respond to this letter will result in my termination. This would only seal the plan for me in the eyes of the Management of The Long Island Human Resources Department.

I think it is kind of ironic that you are now asking me to return to work, when previously I was told that I must stay out until I receive a 100% return to work. Doctors at the sleep study clinic are reluctant to do so, given the danger of driving without the appropriate sleep remedy and solution. I never once asked to be out of work. I was told that I must go out because the doctors wouldn't provide the clearance for me to work without restrictions. The only party having any problem with my returning to work with restrictions is UPS. I should never have left work. The ADA states that I shall be provided reasonable accommodations with which to work. Why could I not be afforded the opportunity to have a modified schedule? I can name people who have been working

8 hour days for years now. The double standards I face and the harsh measures are only proof to me that perhaps my valued confidant was correct when I was told over two months ago that there was a plan to administratively terminate me.

The letter I sent dated 7 April 2008 outlining the discriminatory remarks/behavior I have been subjected to, has not received the attention it certainly warrants. I am to assume that UPS's failure to respond to these issues is yet another indication that my interaction must be taken to a level where I can best protect my career at UPS. This failure to respond in nearly 40 days is yet another example of the lack of consideration on my problems by those entrusted to live up to the letter of the law with regard to our most valued asset, "our people".

I have done nothing wrong! Was it me who "dropped the ball" on my first ADA request? Was it my fault that I was not told I was on disability during the period of June to December 2007? Sure, I was told in hindsight that the system showed me as being on disability. Where is the documentation that was sent to me describing that I was on disability for that period? Aetna has no record of this. Are there alternate systems that do not dovetail this data between Aetna and UPS? Was it my fault that I was not afforded the reasonable accommodations the ADA process is synonymous for? This can not be afforded to me when someone drops the ball on the process being completed. Was it my fault that after filling out the ADA request with a certified HR Manager, that I would once again be placed in a job that endangered my life? The management of the Human Resources Department of the Long Island District has not been my advocate or partner. Kevin Dilibero, instead of providing for me a resolution, decided to also threaten me with termination. Since my Illness has not been worthy of positive attention, perhaps I must now take measures to ensure my job remains intact. I also notice that my tuition has not been paid as promised. I am bewildered and amazed at this treatment. 21 Years of service to this organization, following 8 years of dedication to the Marine Corps, should warrant treatment respectful to my effort and dedication.

Instead of these threatening letters, perhaps a phone call to provide me support in navigating this impossible problem would make more sense. I have kept this problem within our circle here on Long Island. Because it seems that I am going to be terminated unjustly, I will now take measures to strengthen my position as you have already been made aware, but choose to not follow-up. I assume that because no response was given to me regarding my allegations of discrimination, I am now free to seek help elsewhere.

Your failure to treat me as a partner and dedicated UPS'er has certainly paved the way for me to now reach out to the highest authority at UPS..Perhaps our CEO, Mr. D. Scott Davis would be eager to know what has transpired. I can say for certain that I do not want to take this battle to the highest level. The EEOC will be made aware of the discrimination that occurred in the past and that it continues today. I have no choice but to go to outside support because those entrusted in seeking the truth have refused to respond accordingly.

I can be reached at (631) 462-0695. My previous number (516) 220-2227 is not functioning. Your failure to respond will only make it necessary for me to enforce the support of the aforementioned authorities. I have not felt the need to seek outside intervention, but the recent language and direction of this past correspondence now gives me reason to be concerned.

Respectfully,

John K. Welch

John K. Welch

Exhibit 36

Employee ID
0366165

UPS Employee History Profile

Employee Name	Employee ID	Job Function Code	Employment Date	Grade Level
Welch, John	0366165	ENG	3/17/1987	014

GEMS Job History (Starts from March 1999)

Region	District	Action Type Code	Reason Type Code	Effective Date	Job Class	Job Group Description
07 -East	20 - North Atlantic	DTA	SPS	01/03/2011	Ie Op Imprv Sup	FT Supervisor
07 -East	20 - North Atlantic	DTA	CHD	09/27/2010	Ie Op Imprv Sup	FT Supervisor
07 -East	20 - North Atlantic	JRC	JRC	09/06/2010	Ie Op Imprv Sup	FT Supervisor
07 -East	20 - North Atlantic	DTA	CHD	04/26/2010	Pkg Inside Supv	FT Supervisor
07 -East	20 - North Atlantic	XFR	ROR	04/02/2010	Pkg Inside Supv	FT Supervisor
07 -East	26	RFL	RFL	07/08/2009	Pkg Inside Supv	FT Supervisor
07 -East	26	LOA	PTD	06/22/2009	Pkg Inside Supv	FT Supervisor
07 -East	26	RFL	RFL	03/25/2009	Pkg Inside Supv	FT Supervisor
07 -East	26	DTA	CHD	01/16/2009	Pkg Inside Supv	FT Supervisor
07 -East	26	DTA	ROR	01/07/2009	Pkg Inside Supv	FT Supervisor
07 -East	26	LOA	PTD	01/05/2009	Pkg Inside Supv	FT Supervisor
07 -East	26	RFL	RFL	11/04/2008	Pkg Inside Supv	FT Supervisor
07 -East	26	LOA	PTD	08/25/2008	Pkg Inside Supv	FT Supervisor
07 -East	26	DTA	CHD	07/07/2008	Pkg Inside Supv	FT Supervisor
07 -East	26	RFL	RFL	06/02/2008	Pkg Inside Supv	FT Supervisor
07 -East	26	LOA	PTD	01/11/2008	Pkg Inside Supv	FT Supervisor
07 -East	26	RFL	RFL	12/19/2007	Pkg Inside Supv	FT Supervisor
07 -East	26	LOA	PTD	12/18/2007	Pkg Inside Supv	FT Supervisor
07 -East	26	DTA	CHD	10/11/2007	Pkg Inside Supv	FT Supervisor
07 -East	26	RFL	RFL	07/24/2007	Pkg Inside Supv	FT Supervisor
07 -East	26	LOA	PTD	07/02/2007	Pkg Inside Supv	FT Supervisor
07 -East	26	JRC	JRC	10/19/2006	Pkg Inside Supv	FT Supervisor
07 -East	26	JRC	JRC	10/01/2005	District Chsp Supervisor	FT Supervisor
07 -East	26	DTA	CHE	08/01/2005	Pkg Inside Supv	FT Supervisor
07 -East	26	DTA	CHD	05/05/2004	Pkg Inside Supv	FT Supervisor
07 -East	26	RFL	RFL	03/18/2004	Pkg Inside Supv	FT Supervisor
07 -East	26	JRC	JRC	01/02/2004	Pkg Inside Supv	FT Supervisor
07 -East	26	LOA	PTD	09/25/2003	On Road Supervisor	FT Supervisor
07 -East	26	RFL	RFL	06/02/2003	On Road Supervisor	FT Supervisor
07 -East	26	LOA	PTD	05/08/2003	On Road Supervisor	FT Supervisor
07 -East	26	XFR	ROR	03/28/2003	On Road Supervisor	FT Supervisor
07 -East	23	DTA	CHD	11/05/2002	On Road Supervisor	FT Supervisor
07 -East	23	JRC	JRC	03/04/2002	On Road Supervisor	FT Supervisor
07 -East	23	DTA	CHD	03/13/2001	Preload Supv	FT Supervisor
07 -East	23	DTA	CHD	09/01/2000	Preload Supv	FT Supervisor
		JRC	JRC	09/01/2000	Preload Supv	FT Supervisor

Region	District	Action Type Code	Reason Type Code	Effective Date	Job Class	Job Group Description
07 -East	23	DTA	CHD	03/13/1999	Business Mgr	Mid Manager

Records 1 - 37 (All Records)

Job History (Prior to Mar 1999)

Region	District	Effective Date	Job Change Reason	Job Class Description	Type Employment Description
07 - East	23 - West Long Island	9/1/1998	Lateral	Business Mgr	Full-Time Manager Operations
07 - East	23 - West Long Island	1/26/1998	Promotion	Hub Manager	Full-Time Manager Operations
07 - East	23 - West Long Island	6/1/1997	Lateral	On Road Supervisor	Full-Time Supervisor Operations
07 - East	23 - West Long Island	8/1/1996	Lateral	On Road Supervisor	Full-Time Supervisor Operations
07 - East	23 - West Long Island	6/1/1994	Lateral	Preload Supv	Full-Time Supervisor Operations
07 - East	23 - West Long Island	1/1/1989	Promotion	On Road Supervisor	Full-Time Supervisor Operations
07 - East	23 - West Long Island	9/1/1988	Reloaction	Package Driver	Full-Time Union Hourly
07 - East	23 - West Long Island	9/1/1987	Promotion	Intl Oper Supv	Part-Time Supervisor Operations
07 - East	23 - West Long Island	3/17/1987	Start	Sorter - Pm	Part-Time Union Hourly

Education

Graduation Date	School	Major	Education Level
01/01/9999	Adelphi University	Other	College Junior
05/26/2008			Bachelors
06/01/1988	Kingsborough Cmty College	Business, Genl	Associates Degree

Training

Records 1 - 167 (All Records)

Training Date	Training Course Code	Training Course Name	Student / Instructor	Internal / External
01/28/2011	0566	Cd/Dps Workshop	Student	Internal
	0738	Data Management Workshop	Student	Internal
	0785	Pds Training	Student	Internal
11/03/2010	0441	Loop Principles & Cd	Student	Internal
	0566	Cd/Dps Workshop	Student	Internal
	0780	Data Management Cbt	Student	Internal
	0905	Area Trace Cbt	Student	Internal
08/19/2010	0112	Safe Work Methods	Instructor	Internal
	0117	Space And Visibility	Instructor	Internal
	0184	Vehicle Safety Trng-Vsta	Instructor	Internal
08/18/2010	0112	Safe Work Methods	Instructor	Internal
	0117	Space And Visibility	Instructor	Internal
05/26/2010	0112	Safe Work Methods	Instructor	Internal
	0117	Space And Visibility	Instructor	Internal
05/11/2010	0111	Injured Emply Procedure	Student	Internal
	0581	Yard Control Certified Emp	Student	Internal
	1029	Declaration Management Commit	Student	Internal
05/08/2010	1380	Egress Training	Student	Internal
03/11/2010	0183	Lockout Affected	Student	Internal
	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal

Training Date	Training Course Code	Training Course Name	Student / Instructor	Internal / External
	0582	Yard Control Non-Certified Emp	Student	Internal
	1113	Ups Stretching Video	Student	Internal
02/23/2010	1029	Declaration Management Commit	Student	Internal
10/08/2009	0164	Drug & Alcohol Awareness Cert.	Student	Internal
	0218	Shrmis Intake Training	Student	Internal
09/22/2009	1357	Rci - Competitive Landscape	Student	Internal
	1366	Rci Pkg Certification	Student	Internal
09/09/2009	0528	Focus On Compliance	Student	Internal
06/08/2009	1391	Payroll Tools	Student	Internal
05/11/2009	1354	Hohider Lit Hold Memo 2009	Student	Internal
04/20/2009	1336	Non-Unionworkforcemnustraining	Student	Internal
04/17/2009	0111	Injured Emply Procedure	Student	Internal
	0183	Lockout Affected	Student	Internal
	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal
	0581	Yard Control Certified Emp	Student	Internal
	1029	Declaration Management Commit	Student	Internal
	1049	Eap And Work/Life Mgt Online	Student	External
	1113	Ups Stretching Video	Student	Internal
	1380	Egress Training	Student	Internal
11/11/2008	0421	Dot Hours Of Service	Student	Internal
07/16/2008	0566	Cd/Dps Workshop	Student	Internal
	0738	Data Management Workshop	Student	Internal
	0785	Pds Training	Student	Internal
06/13/2008	0111	Injured Emply Procedure	Student	Internal
	0183	Lockout Affected	Student	Internal
	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal
	0581	Yard Control Certified Emp	Student	Internal
04/10/2008	0179	Empl Safety Trng (Esta)	Student	Internal
	0184	Vehicle Safety Trng-Vsta	Student	Internal
11/30/2007	1123	Hohider Lit Hold Memo 2007	Student	Internal
11/29/2007	0112	Safe Work Methods	Student	Internal
11/02/2007	1108	Introduction To International	Student	Internal
09/07/2007	0192	Conveyor Securing	Instructor	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Instructor	Internal
	0582	Yard Control Non-Certified Emp	Instructor	Internal
08/16/2007	0183	Lockout Affected	Student	Internal
	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal
	0582	Yard Control Non-Certified Emp	Student	Internal
08/14/2007	0192	Conveyor Securing	Instructor	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Instructor	Internal
	0581	Yard Control Certified Emp	Instructor	Internal
07/17/2007	0112	Safe Work Methods	Instructor	Internal
	0117	Space And Visibility	Instructor	Internal

Training Date	Training Course Code	Training Course Name	Student / Instructor	Internal / External
06/29/2007	0903	Unscheduled Package Tendering	Student	Internal
06/27/2007	0528	Focus On Compliance	Student	Internal
	0903	Unscheduled Package Tendering	Student	Internal
	1095	Records Management Compliance	Student	Internal
06/18/2007	0164	Drug & Alcohol Awareness Cert.	Student	Internal
03/06/2007	1032	Safe Work Mthds Trng Overview	Student	Internal
02/01/2007	0179	Empl Safety Trng (Esta)	Student	Internal
06/21/2006	0403	Qip Certification	Student	Internal
06/15/2006	0183	Lockout Affected	Student	Internal
	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal
	0582	Yard Control Non-Certified Emp	Student	Internal
04/27/2006	0807	Anti-Corruption Mgt. Briefing	Student	Internal
03/27/2006	0146	Antitrust Compliance Training	Student	Internal
	0288	Insider Trading Training	Student	Internal
03/21/2006	0457	Information Use And Security	Student	Internal
03/07/2006	0184	Vehicle Safety Trng-Vsta	Student	Internal
02/24/2006	0047	One Vision Train-The-Trainer	Student	Internal
02/15/2006	0179	Empl Safety Trng (Esta)	Student	Internal
	0184	Vehicle Safety Trng-Vsta	Student	Internal
12/28/2005	0299	Anti-Corruption Training	Student	Internal
06/29/2005	0582	Yard Control Non-Certified Emp	Student	Internal
06/24/2005	0183	Lockout Affected	Student	Internal
	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal
05/27/2005	0559	Post Ors Basic Training Wkshop	Student	Internal
03/08/2005	0047	One Vision Train-The-Trainer	Student	Internal
02/09/2005	0216	Technical Skills Workshop	Student	Internal
	0714	Network & Basic Comms Sem	Student	Internal
	0720	Information Svcs Mgr Sch	Student	Internal
11/19/2004	0538	Helper Training Phase Ii & Iii	Student	Internal
	0539	Planning For Helper Areas	Student	Internal
08/31/2004	0457	Information Use And Security	Student	Internal
07/13/2004	0114	Safe Work Habits	Student	Internal
06/16/2004	8036	I.S. Computer Orientation	Student	Internal
05/11/2004	0472	Cof - Driver Follow-Ups	Student	Internal
03/24/2004	0047	One Vision Train-The-Trainer	Student	Internal
06/03/2003	0047	One Vision Train-The-Trainer	Student	Internal
04/14/2003	0020	Focus On Compliance 2003	Student	Internal
04/01/2003	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal
01/13/2003	0289	Our Company Video	Student	Internal
11/22/2002	0168	Eri Foll/Up Session	Student	Internal
09/16/2002	0804	Int'L Shpmnt Acceptance Trng	Instructor	Internal
07/01/2002	0117	Space And Visibility	Instructor	Internal
06/01/2002	0207	Contract Ratification Refresh	Student	Internal

Training Date	Training Course Code	Training Course Name	Student / Instructor	Internal / External
05/01/2002	0208	Code Of Business Conduct	Student	Internal
	0277	Legacy/Partnering Presentation	Student	Internal
04/01/2002	0192	Conveyor Securing	Student	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Student	Internal
03/01/2002	0118	Space&Visibility- Cd Rom	Student	Internal
02/01/2002	0289	Our Company Video	Student	Internal
11/01/2001	0149	Lrng Map 5 - Invstg To Grow	Instructor	Internal
06/01/2001	0147	Focus On Compliance 2001	Student	Internal
05/01/2001	0149	Lrng Map 5 - Invstg To Grow	Student	Internal
04/01/2001	0152	Cst & Alcohol Regs Overview	Student	Internal
	0204	Labor Rel Manager'S Workshop	Student	Internal
03/01/2001	0114	Safe Work Habits	Student	Internal
	0117	Space And Visibility	Student	Internal
	0230	Pkg Drivr Trng Sch (Pdts)	Student	Internal
01/01/2001	0403	Qip Certification	Student	Internal
01/01/2000	0158	Lrng Map 4 - Enblg Global Comm	Student	Internal
11/01/1999	0168	Eri Foll/Up Session	Student	Internal
03/01/1999	0200	Bccp Recurrent Training	Student	Internal
02/01/1999	0199	Lrng Map 2 - Go Global	Student	Internal
11/01/1998	0105	Prof Conduct Policy Review	Student	Internal
	0999	Delivering Our Future '98	Instructor	Internal
09/01/1998	0240	Bus Conduct Compli Progrm	Student	Internal
	0999	Delivering Our Future '98	Student	Internal
06/01/1998	0192	Conveyor Securing	Instructor	Internal
	0226	Hazmat,Hazcomm Gen,Emer Resp	Instructor	Internal
03/01/1998	0169	Edr Employee Trng (Intro)	Student	Internal
02/01/1998	0198	Wrkpl Violence Prevnt Program	Student	Internal
02/01/1997	0866	Build Emp Rel Thr Commun	Student	Internal
06/01/1996	0990	Quality At Work	Student	Internal
	0992	Trust And Teamwork	Student	Internal
02/01/1996	0137	Career Development Workshop	Student	Internal
	0931	Quality Improvement Process	Student	Internal
11/01/1995	0183	Lockout Affected	Student	Internal
07/01/1995	0110	Accident Invest Workshop	Student	Internal
05/01/1995	0111	Injured Emply Procedure	Student	Internal
	0899	Haz Matls (Dot)-Cust Service	Student	Internal
04/01/1995	0150	Cst Mgt Training Prior To 3/95	Student	Internal
	0165	Employee Assistance Proced Ove	Student	Internal
03/01/1995	0804	Int'L Shpmnt Acceptance Trng	Student	Internal
12/01/1994	0151	Alcohol Training/Handbook	Student	Internal
10/01/1994	0179	Empl Safety Trng (Esta)	Student	Internal
08/01/1994	0177	Impart Empl & Promo Trng	Student	Internal
07/01/1993	0296	Professional Relationships	Student	Internal
05/01/1993	0197	Ada Procedures Overview	Student	Internal
	0432	Dvlp Our Skills-Select & Prep	Student	Internal
04/01/1993	0171	Empl Relations Comm Workshop	Student	Internal

Training Date	Training Course Code	Training Course Name	Student / Instructor	Internal / External
02/01/1993	0217	Image Of Quality Workshop	Student	Internal
06/01/1991	0295	Linking Diversity	Student	Internal
01/01/1991	0230	Pkg Drivr Trng Sch (Pdts)	Student	Internal
08/01/1989	0235	People Workshop	Student	Internal
07/01/1989	0260	Supv Basic Trng School (Sbts)	Student	Internal
02/01/1989	0220	New Management Orientation	Student	Internal
03/01/1988	0205	Labor Rel Wkshp - Staff Mgmt	Student	Internal
01/01/1988	0220	New Management Orientation	Student	Internal

Exhibit 37

Record Information

Name: Notes for Bob Rizzo

Date	Notes
5/27/2008	Called Mike and asked about the interviews for the re-audit. He still did not get them back and has not asked for them until I ask. Mike does not communicate with me or the managers when he runs into a problem. He seems to lack the leadership skills that his job requires. He does not communicate with me as often as he should. I plan to have more conversation with Mike about moving forward in this position.
5/28/2008	Called John Welch on work cell. Left message on his phone.
5/29/2008	Kevin DiLibero asked me to contact Irene Gordon about John's return to work which was faxed to Melville today. I called Irene to conform John's return and she said he was OK to return to work - no driving and 9 hour retriction. I called John from my house and left message with little boy (son). John returned call at approx 949 pm but I was sleeping due to early work.
	Received email from Irene about John. John emailed her about what has been going on with him. Copy in file.
	Received text from John at 414pm. It says:"Bob…hope you having texing. My phone broke and only the texting works - dated May 29 414pm
6/2/2008	• Meeting with John Welch – first day back to work. Met with Irene and reviewed status and job responsibilities (see write-up). Reviewed VSTA certification with John and recapped tasks we discussed Monday including: Daily log of his activities to be emailed to me each day, 2 calendar's – one for ESTA certifications Melville preload and one for Huntington S&V's rides to be completed by end of June. Copy given to Jim Kirk and reviewed with Norm.
6/3/2008	Talked with John about what we reviewed Monday as far as activities and plans. John gave me hand written calendar for S&V rides for Huntington. The plan is to have all 33 overdue rides complete by last day in June. John also is to complete all ESTA on preload by end of June as well. John still has transportation issues as well as phone concerns. There is no way other than text to contact him.
6/4/2008	text John to find out where he is. His start time is 500am - arrived at 533am - said he took bike to work from Commack in the pooring rain and wind approx 15 miles.. I told John he needs to find a more efficient way to get to work It took him 2 1/2 hours to communte 15 miles.
6/9/2008	Meeting with John to review his first week. John exceeded his allowed hours and I explained to John that it is his responsibility to monitor and inform me if it looks like he may go over on any given day. I also explained that if for some reason he does exceed the 9 hours per day, then we would adjust accordingly. I also reviewe with John that he did not follow the plan for rides which was to leave facilty with a driver to get the max time. On a few occasion last week, he did not get to first driver until 1100am. - 1200pm
	Mike Adragna called to center (Hauppauge) for a on road spill
6/10/2008	Mike Adragna called again to go on road for a spill.
	Received email from Kevin DiLibero from John Welch (see file) The email talks about his return to work, being denied any assistance, not being allowed to work and not being paid for May. Doug told John that he could appeal to albany and that DiLibero had nothing to do with the pay issue and that it was a medical documentation problem.
	I called john and asked him if he was coming into work Wednesday to Nassau and he said yes. I informed John that he should do what we suggested yesterday and file an appeal for mays pay. I aslo told him that I did not know anything about the ADA request with Alma and that he should talk to Kevin DiLibero about that. I wished him luck in his new job and told him to keep me informed on how he is doing.

Exhibit 38

JOHN WELCH MON 6/9/08 12[55] PM Rizzo, Transdial

RESTRICTIONS:

LECAP MONDAY: WENT OVER RESTRICTIONS;

JW: DIDN'T EVEN SEE THE NOTE

- 9 HR[S] DAILY –
- DON'T LIFT OVER 40 LBS.
- " " ANYTHING REPETITOUSLY
- CAN'T OPERATE ANY MACHINERY
- I CAN DRIVE – JW

POSITIONS:

- NOT A REAL JOB –
- CAN'T GO ON CAR –
- PRELOAD JOBS →
- CAN'T RUN VALLEY STREAM CTR WITH 1 ON CAR –
-
- HAVE TO BE THE GATEKEEPER – OF YOUR OWN –
  - 9 HR[S] LET YOUR MGR KNOW –
- 30 MILES –
- PRELOAD JOB –

  TRAVAGLIA → WIEDERHOLD –

  - JOHN WELCH –

- 516 220 2227 – JW CELL →

MANHASSET – TOOK CALDWELL['S] – SPOT

DILEMMA – by BIKE – LEASE CAR WENT BACK

Was Going To Buy with Tax ✓

• Rizzo - Said He s/w Mazzolla
- Even if He Can - Don't Have $

• Can't Come To Work
• Lateness
• Coverages
• Shuttle out Package[13]
• I Said He Can't → Shuttling →

May → STD - No check -
I said John → call Aetna -
Told Him →

Couldn't Took Tax check -

1/14 To 6/22
Wasn't Allowed To Come Back -
Sleep Doctor →

Amended Vac → Policy →
Now Allowed -
Take .89 Day's Per Month →

Was Granted ADA Request 6-2

Asked Kevin 2 Mo's Ago
- List of People who Discriminated Against Me

How Many Time's do we need ADA Request →
- ADA — 6 AM — 2 PM →
  - Job —
- Lizzo — issue is Can't Get There
- Can't Get There

→ Can't Borrow Car — not For Long Term —

→ Did My Cardiologist — Release Me?
Dr. John — Thought only Release Waiting on was Your Sleep Doctor which — we Got

→ Wed P.M. Report —
- → Go Back out — He's Going To Go Back out —

- Report 2AM — 11 AM →
Wed →

Exhibit 39

9 ρ

To: Steve Wiederhold
Fr: Chris Travaglia
Re: John Welch

June 10, 2008

On June 10, 2008 John Welch reported to the Nassau preload at 3:00 A.M. I met with John at approximately 3:15 A.M. I welcomed John to the preload and asked him about his restrictions. John proceeded to tell me about how the company has fucked him in the past. John said that H.R had fucked him, in particular Kevin Dilibero and Jim Kirk. I told John that I had no problem with him and that as far as what happened in the past I did not care. I asked John about his restrictions and he told me he could not work over 9 hours or lift anything. I TOLD John that that would not be a problem and then instructed him that he is not to touch any packages as long as he has a restriction. I then asked John what time he would like to come in and he stated that he thought that 3:00 A.M. was too late for the preload and I agreed. We then mutually agreed on a 1:00 A.M. to 10:00 A.M. shift. John said that was very reasonable and that he would give me 110% and do his job the best he could and wanted to be part of the team. I the told John that I would need him to oversee slide and boxline 3 and john said that would be great.

Chris Travaglia
Nassau Preload Manager

Exhibit 40

75 Smith Street
E. Farmingdale, NY 11735
631.756.3841 Tel

January 11, 2010

Dear John:

On January 8, 2010, we received notification that you requested a job-related accommodation because of a self-reported medical condition. In order to assess your request adequately, we need additional medical information regarding your reported condition and the way in which it impacts your ability to work at UPS.

Accordingly, enclosed is a Request for Medical Information form to be completed by your physician and an Authorization for Release of Health Information form to be signed by you. Please provide these forms to your physician and then mail the completed forms to me at the following address:

Irene Gordon , Occupational Health Supervisor
UPS – 75 Smith St Farmingdale, NY 11735
631-756-3828

Because we cannot continue our assessment of your request until we have received the completed medical forms, it is to your benefit to return this information as quickly as possible, preferably within the next two weeks. If you fail to return the forms within four weeks of the date of this letter without authorization from me, UPS will consider you to have withdrawn your request.

If you believe that you are completely unable to perform in your current position due to medical reasons now or at any time during our evaluation, please contact Michelle McKenzie at 718-706-3022 for information concerning your eligibility for medical leave and benefits.

If you have questions relating to the above, please call me at 631-756-3828. If our information is incorrect, and you are not seeking a job-related accommodation, please notify me immediately. I look forward to working with you.

Sincerely,
Irene Gordon
District Occupational Health Supervisor

cc: File

File Copy

Exhibit 41

75 Smith Street
E. Farmingdale, NY 11735
631.756.3841 Tel

March 4, 2010

John Welch
109 Dovecote Lane, Commack, NY 11725

Dear John,

On February 3rd, 2010, we notified you that your failure to submit medical information concerning your request for a job-related accommodation would be viewed as your withdrawal of the request and would result in the termination of our evaluation. Since that time, UPS has received no communication from you or your physician. Accordingly, this is to confirm that we consider your request withdrawn and are discontinuing processing your request at this time.

If you have questions relating to your employment status at this time, you should contact the District Workforce Planning Manager.

Sincerely,

Irene Gordon

District Occupational Health Supervisor

cc: District Workforce Planning Manager
File

file copy

Exhibit 42

ACCOMMODATION REQUEST ACTIVITY LOG

(revised effective 1/1/10)

mployee Name:___JOHN WELCH____________ Employee ID Number:_0366165________________

›b Title:__SUPERVISOR________________ Department / Operation:__NASSAU - VARIES______________

ɿployee Currently Working: XXX Yes No If No, Last Day Worked:___WORKING_____________

Activity		Person Responsible	Date	Initials
Notice of MMI Status / Request Rec'd by: J Gordon (Name) Verbal or In Writing (Please Circle One) See Prior file. Request File Opened	One Week	J Gordon OHS	3/29/10	[illegible]
Acknowledgement Letter / Request for Medical Information Sent		OHS	3/29/10	[illegible]
Request File Updated		OHS		
Employee Medical Information Received and Date Stamped RECEIVED 4/12/10 A. ______ If no response in two weeks – Reminder Letter Sent B. ______ If no response in four weeks – Termination of Process Letter Sent C. ______ If Information Insufficient – Additional Information / IME Requested D. ______ Additional Information / IME Results Received		OHS OHS OHS OHS OHS	4/12/10	[illegible]
Request File Forwarded to RWPM and ROHM		ROHM	4/12/10	[illegible]
Evaluation of Employee's Condition Concluded A. ______ Not a Covered Disability B. ______ Insufficient Medical Information C. __✓__ May be Eligible for a Reasonable Accommodation	Two Weeks	RWPM & ROHM	4/15/10	[illegible]
Request File Returned to OHS with Decision		RWPM & ROHM	4/15/10	[illegible]
Employee Notified of Results of Evaluation A. ______ Denial Letter Sent – No Covered Disability / File Closed B. ______ Insufficient Medical Information Letter Sent C. __✓__ Request for Checklist Meeting Letter Sent Meeting Scheduled on 4/23	Three Business Days	DWPM & DOHS	4/15/10	[illegible]
Checklist Meeting Held	Two Weeks	DWPM, OHS & DLRM	4/23/10	[illegible]
Completed Checklist Forwarded to Region ADA Committee	One Week	DOHS		
Committee Conference Held A. ______ Employee may be a Qualified Individual with a Disability Describe Identified Reasonable Accommodation: ________________ ________________ B. ______ Employee is NOT a Qualified Individual with a Disability	Two Weeks	Region ADA Committee		

D01011

Activity		Person Responsible	Date	Initials
. Business Agent Requested to Attend Bargaining Session	Two Weeks	DLRM		
. Bargaining Session Held (union employees) A. ______ BA Accepts Proposed Accommodation/Agreement Prepared B. ______ BA Rejects Proposed Accommodation		RWPM, DLRM, DWPM DLRM		
. Employee Informed of Decision A. ______ If No Accommodation Available – Letter Sent **(Immediately)** B. ______ Continue Looking for Vacancy Until __/__/__ C. ______ If Accommodation Offered – Accommodation Meeting Letter Sent Meeting Scheduled on ______________		DWPM DWPM		
. Accommodation Meeting Held A. ______ Employee Rejects Accommodation / Agreement Prepared B. ______ Employee Rejects Accommodation / Report to Duty Letter Sent	Two Weeks	DLRM DWPM		
Employee Response to Accommodation Agreement A. ______ Employee Reports to Duty in New or Modified Position B. ______ Employee Fails to Report		DWPM		
File Closed		DWPM		

MMENTS: ____

D01012

Exhibit 43

10 March 2010

Dr. Sherrid,

Enclosed is the ADA request my employer wants filled out.....yet again. I have completed three of these forms in the past few years. They are expecting that my restrictions are going to change.

The key points are:

1- I can not lift over 40 lbs.
2- I can not lift packages repetitiously.
3- I should not be required to work extensive hours. They have worked me as much as 70 hours. We have agreed to a 9 hour work day. That should remain intact.
4- I am prohibited by the Dept. of Transportation to operate a commercial vehicle as a result of having the Defibrillator.
5- My shift should be during normal business hours and should not fluctuate. No overnight shifts. I have sleep apnea, restless leg syndrome, and bi-polar disorder.
6- I should be afforded the opportunity to work in an environment conducive to my restrictions and free of harassment.

If you could kindly look through the ADA packet and fill out your portion, keeping in mind that this be returned to the address on the enclosed self-addressed envelope. I appreciate your time Dr. Sherrid. I am also very grateful for all you have done for me and my family throughout the years. Your efforts have always been those that have been in keeping with the highest traditions of your profession. Thanks Dr. Sherrid. Semper Fidelis.

John K. Welch

Pull chart please

Copy for chart
& send to him

Mailed
3/11/10

Exhibit 44

UNITED PARCEL SERVICE

Employee's Name: JOHN WELCH

A. Instructions

The employee listed above has submitted a request for a job-related accommodation arising out of a medical condition. In order for UPS to assess the employee's request, please complete the following information and return it to:

Occupational Health Supervisor – Irene Gordon - Confidential
UPS - 75 Smith Street
Farmingdale, New York 11735
631-756-3828

If you have any questions relating to the completion of this form or need clarification of any of the information requested, please call the Occupational Health Supervisor at the number listed above. If additional space is necessary, please feel free to attach additional sheets. UPS appreciates your cooperation and assistance.

B. Requested Information

Attached to this form is a description of the essential functions of the employee's current position with UPS. After reviewing this description and evaluating the employee, please answer the following questions.

1. Is the employee currently able to perform all of the functions of his/her position?

   ____ Yes ✓ No

2. If the answer to Question 1 is "no," using the enclosed essential job functions form, please identify the specific function(s) of the position that the employee is unable to perform.

   No lifting more than 20 lbs
   should not operate heavy machinery
   should not drive heavy ~~tec~~ Truck as he has
   Internal Cardiac Deffibrilator & pacemaker

RECEIVED 4/12/10

D01027

3. Please identify the diagnosis or describe the condition that precludes or impairs the employee's ability to perform the specific job function(s) identified in response to Question 2.

Hypertrophic Cardiac myopathy
Sleep Apnea
Restless leg syndrome
Has Internal Cardiac Defibrillator & Pacemaker.

a. For each diagnosis or condition identified in Question 3 above, describe in detail the degree or extent of the job restrictions and state the known or expected duration of the job restrictions (e.g., employee's 40-pound lifting restriction is permanent; employee cannot work more than 4 hours per day and/or on a particular shift for two weeks; employee cannot work in an environment over 80 degrees for 3 months etc.). If the condition is episodic, please indicate both the historic and anticipated future frequency.

HCM cannot do extremes of Exertion or lifting
which would ↑ Blood pressure & put more
stress on heart. Also lifting weights can fracture
leads on ICD (Internal cardiac Defibrillator.
Sleep Apnea & Restless leg syndrome lead to fatigue

b. For each job restriction described in Question 3(a) above, describe the activities that the employee can perform within the restriction (e.g., although the employee cannot lift over 40 pounds, she can lift 10 pounds frequently and 25 to 40 pounds occasionally).

Not able to lift more than 20 lbs
Should Avoid extremes of Exertion
light duties

RECEIVED 4/12/10

____

4. Questions 1 through 3 above focus on the employee's ability to work. Do any of the diagnoses or conditions identified in response to Question 3 substantially limit the employee's ability to perform any major life activities other than working, such as caring for him/herself, performing manual tasks, walking, seeing, hearing, speaking, breathing, reproducing, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, etc.?

X Yes ____ No

5. If the answer to Question 4 is "yes," please identify all of the major life activities affected by the diagnosis or condition and describe the manner in which the diagnosis or condition limits each activity.

lifting, manual Tasks eg cannot clear snow

Fatigue due to lack of sleep.

RECEIVED 4/12/10

D01029

6. In the space provided below, please identify any tests or other diagnostic tools that were used to determine this employee's abilities or the nature of his/her impairment, including the names of the tests or diagnostic tools and the dates on which any such tests or tools were administered to the employee.

EKG, Echocardiograms, Holter monitors listening to heart & reglar check up with Cardiologist.
Device needs to be checked every 3 months by specialist E.P. Cardiologist

Name: MARK V SHERRD (Please Print) Date: 3/11/10

Address: 425 west 59 street Suite 9 NY NY 10019 FAX No. 212 492 5555

Signature: [signature] Telephone No. 212 492 5550

RECEIVED 4/12/10

D01030

Exhibit 45

75 Smith Street
E. Farmingdale, NY 11735
631.756.3841 Tel

April 21, 2010

John Welch
109 Dovecote Lane Commack NY 11725

Dear John:

Over the last several weeks, UPS has carefully evaluated your request for a job-related accommodation concerning your self-reported medical condition. In order to continue our assessment of your request, we have scheduled a meeting with you on Friday April 23, 2010 at 10 AM in the Nassau Building. At this meeting, you should be prepared to discuss in detail what specific accommodation you are requesting.

If the date and time of the meeting are not convenient, or if you have questions relating to the above, please contact me at 631-756-3828. Otherwise, I look forward to seeing you on April 23, 2010.

Sincerely,

District Workforce Planning Manager

cc: District Labor Relations Manager
District Human Resources Manager
Occupational Health Supervisor
Business Agent (if involved to date)
File

Exhibit 46

I.

UNITED PARCEL SERVICE

ACCOMMODATION CHECKLIST

(revised effective 1/1/10)

Name: JOHN WELCH
Completed by: KAREN FRANCIS
Date of Meeting: 4/23/10
Others in Attendance: IRENE GORDON
District: 07/20

FOR UNION EMPLOYEES:

I, X, do N/A do not ____ consent to UPS sharing my medical information with the union for all purposes relating to my request for accommodation.

John K. Welch
Employee Signature

Date: 4-23-10

A. To Be Answered By Employee:

1. Job Analysis

a. Current Position On car Supv. - Garden City

b. Self-Identified Condition: Hypertrophic Cardio myopathy, Bipolar Disorder, Restless Leg Syndrome, Sleep Apnea

c. Current Limitations in Position as a Result of Self-Identified Condition: No lifting over 40Lbs. No repetetive lifting, Relief from excess hours (9 hour max) No overnight shift work. Medically disqualified from obtaining D.O.T. certification to drive.

d. Desired Accommodation(s) With Respect To Current Position: No Lifting pKgs in excess of 40Lbs. No repetetive lifting, No excess hours No operation of Commercial Vehicles consistent 9 hr work day between the hours of 6AM not to exceed 12 AM.

e. Other Desired Accommodation(s): NONE

John K. Welch
Employee Signature

4.23-10
Date

A. To Be Answered By the District Workforce Planning Manager and District Labor Manager Following Checklist Meeting:

1. With respect to each considered accommodation which involves modification of his or her current job, answer the following questions:

a. Do the means exist to make the requested accommodation?
b. Does the accommodation conflict with any portion of a collective bargaining agreement?

	Accommodation	Means Exist	CBA Conflict
1.	9 Hours MAximum	YES	N/A
2.	NO lifting over 40lbs	YES	N/A
3.	NO over night shift hours	Yes	N/A

Attach a copy of the essential job functions list for the employee's current position.

2. With respect to each considered accommodation which involves a transfer or reassignment, answer the following questions:

a. Are there any current openings or does the company know that a vacancy will occur within a reasonable period of time?
b. Does the employee possess the requisite education, skills and experience ("ESE") for the position?
c. Does the employee preliminarily appear capable of performing the essential job functions ("EJF") of this position with or without reasonable accommodation?
d. Does the transfer or reassignment conflict with any portion of a collective bargaining agreement?

Attach a copy of the essential functions list of each identified position.

Accommodation	Availability	ESE	EJF*	CBA Conflict
1.				N/A
2.				N/A
3.				N/A

*NOTE: If you answered "no" in the EJF column, briefly describe which essential functions the employee may not be able to perform and explain why.

3. Identify any other readily apparent reasonable accommodations that may be available. A twilight/local sort supervisor position

For each accommodation identified, perform the analysis listed in Questions 1 and 2. Be sure to attach a copy of the essential job functions for each position identified.

	Accommodation	Means Exist	CBA Conflict
1.	Twilight/local sort supervisor	YES	NO
2.			
3.			

	Accommodation	Availability	ESE	EJF*	CBA Conflict
1.	Twilight/Local Sort Supervisor	NO	YES	YES	NO
2.					
3.					

[signature]
Signature

Date Completed: 4/23/2010

Exhibit 47

Date: August 12, 2010

To: Daniel Minesinger

From: Beverly Riddick

Subject: John Welch

On Thursday August 12, 2010 I had a conversation with John Welch over the phone regarding open job opportunities that were aligned with his ADA accommodations. The jobs reviewed are as follows:

1. FT Supervisor Position (PAS) – Hours 6 a.m. – 4:00 p.m.
2. FT Administrative Position – Region Business Development

I explained to job the hours, location and function of each opportunity. John expressed an interest in the FT supervisory position within the IE function as a PAS supervisor. John asked if he would receive notice as to when to start the job. I told him I would call him back with the details once I had the opportunity to discuss it with Daniel Minesinger, District HR Manager and Chip Napier District IE Manager.

I spoke to Chip Napier on Monday August 16, 2010. He said John can start immediately. He will be working in the Manhattan South center reporting to Frank Torres. A follow up call to John was made on Monday to give him the details of his new assignment.

Exhibit 48

Metro New York District
643 West 43rd Street
New York, NY 10036
800.742.5877 Tel

August 19, 2010

Mr. John Welch
109 Dovecote Lane
Commack, NY 11725

Dear John:

This letter will serve to confirm our telephone conversation on August 12, 2010, concerning your request for a job-related accommodation. To facilitate your continued employment, UPS has offered to reassign you to the Manhattan South facility as a full time Preload Assist Supervisor. You have stated that this is acceptable. Accordingly, you should report for work in your new position on Monday August 23, 2010 at 6:00 a.m. The manager you will report to is Frank Torres. If you have questions before that time, however, please call me at 212-631-6198.

We are very pleased that we were able to reach this mutually satisfactory result. It is our firm belief that the accommodation offered will enable you to continue your employment with UPS successfully. Please keep in mind, however, that nothing in this arrangement is to be construed as an admission that the Company is obligated, contractually, legally or otherwise, to provide you with a job-related accommodation. Likewise, nothing in this agreement alters your at-will employment status, which means that you and the Company each retain the right to terminate your employment at any time and for any reason.

Sincerely,

Beverly Riddick
North Atlantic District
Human Resources Operations Manager

cc: Daniel Minesinger
File

Exhibit 49

John K. Welch
109 Dovecote Lane
Commack, New York 11725

20 April 2008

Kevin Dilibero
75 Smith Street
Farmingdale, New York, 11735

Dear Kevin,

You had asked me when we last spoke to provide you with the details of the circumstances in which I felt I had been discriminated. I will explain those incidents so you can better understand why I make these claims. I am confident that you will address the issues and make me aware of the results of your findings, and what action is being taken, if any.

I had always been very comfortable in management, because we were a tight knit group. Unfortunately, there are those that when they fail, choose to blame others. On 23 August 2000, while serving as the manager on the Foster Avenue Local Sort, I was summoned to the Division Manager's office. Upon arrival to Gerrais Gary's office, I was surprised to find the office was occupied by personnel from the security department. I could tell by the uncomfortable atmosphere that something was amiss. They asked me to have a seat.

On the table in front of Security Manager Ralph Fargado was a stack of papers. I was then questioned by Dan Daly and Ralph Fargado about a problem they were having with Damage Inspection Reports. Apparently, the Damage Inspection reports were not being processed according to proper protocol. I assumed they needed my assistance in resolving the problem. Instead, I was told by Dan Daly that I was to accept full responsibility for the job not getting done. I refused to accept responsibility as it was not my responsibility to perform this task. The clerks did not report to me. The clerks had reported to clerical supervisor James Edgette, who resigned nearly two months earlier. I didn't even know what a Damage Inspection Report was, nor was I ever told that I was responsible for them getting done. The DIR's are to be keyed into the system after being written up upon the discovery of a damaged package. Apparently this was not getting done because there was insufficient clerical staffing, given the fact that numerous clerks were on vacation.

In any case, I was told to meet with Craig Owen, the District H.R. Manager on August 28th, 2000; founders day. Craig reduced me from manager to supervisor and refused to give me an explanation as to why. I asked for it to be provided to me in writing, yet he refused to do so. Craig told me, "We don't do that". I told him that he needed to provide me with the reason for such a grave decision. This is not necessarily the discrimination I speak of, but rather the result of the discrimination. The true discrimination happened prior to this incident, and continued after I was reduced to supervisor.

Some time prior to this event before I was reduced to supervisor, I was questioned by my then Division Manager, Cindy Miller, as to what medicine I was taking. I thought it was a rather odd question, so I asked her why she needed to know. Cindy told me that she was approached by a supervisor who reported to me (Tom Soregaroli); and he had mentioned that the medicine was affecting my intensity. First of all, I wouldn't classify curses and threats to be intensity, but that is the way Tom Soregaroli perceives intensity, as he was a product of Gerrais Gary. I chose to treat the people with dignity and respect instead of threatening them. Tom brought this information to Cindy, and she acted upon it. Cindy first asked if the medicine was affecting my intensity, then she told me that she was going to look into it. I had nothing to hide, as the medicine was not something that could make me lethargic or without intensity, as was mentioned by Tom Soregaroli. It is also very interesting how I was blamed for failing to insure that the DIR's were submitted on a timely basis, despite it not being my job. Even more ridiculous was the fact that I was busted only weeks later without reason. Perhaps the research of my medicine revealed side effects that were ill received by my Division Manager. If it was perceived that my medicine was a problem, then I too can assume that this was the reason I was busted, as no response was ever provided despite numerous requests. Incidentally, prior to my being busted to supervisor, Tom Soregaroli had called my wife to ask her what medication I was taking. He then reported his findings to Cindy. He tried to present his request to my wife as concern, but all the while, he had ulterior motives that were everything but concern for me.

Another incident that caused me considerable harm occurred after I was reduced from manager to supervisor. I was assigned to the Foster Avenue Preload. I had been informed by my doctor that I had to be evaluated overnight. I brought the note to work thinking it wouldn't be a problem especially given the reason why I needed the day off. I soon found out that my doctor's request became a huge problem. The Division Manager, Tom Cuce, summoned me to his office. Upon arrival, I saw that Paul Turner was also sitting waiting to see Tom as well. Paul Turner is a diabetic, and therefore could not fulfill all of the requirements of the job he was assigned, as he was without a DOT card. Tom was disrespectful and forceful when he mentioned, "Your diseases are causing me a huge problem". He also said, "I may not have a job for either of you".

The conversation became even more discriminatory when he told us that he has a job to do, and cannot have people on board who couldn't do the job. Paul and I are hard working and dedicated UPS'ers that came upon unfortunate health issues beyond our control. Instead of support, we became attacked. What made it even more ridiculous was Tom's lack of concern. He told us that he has a choice to make. His exact words were, "My choice is to either feed my kids or your kids". He held his arms out, palms up, replicating a scale. When one hand went up, the other went down. He gave these arm signals as to mention that his kids were more important to feed than ours. The cold grim reality was evident in his message. Because we were presented with an illness that impeded our duties, we became a liability in the eyes of Tom Cucce.

Another reason why I think I am discriminated against is the fact that certain rules do not apply to me. My doctor sent a letter stating that the requirements of my job were putting me at considerable risk for sudden death. This letter is in my medical file. In January 2006, I filled out an ADA request with Alma Franco, a manager in the HR Department. I was subsequently placed in the CHSP job in Island City. This would lead me to believe that the ADA request had followed the proper channels. I was finally doing a job that was conducive to meeting the restrictions my cardiologist demanded. Not a year had passed when I was transferred to the Nassau Preload. I never said a word because it is not in my makeup to complain. I simply wanted to follow orders and do the best job I can. In my first month on the Manhasset Preload, I realized that things had gotten worse. I often worked 13 to 14 hour days, and because of the conditions of the job, had to sort packages on the slide every night. The first half of the preload was under-staffed, and therefore I was required to sort packages to prevent the operation from going under.

One night after sorting I felt dizzy. I walked down the platform and fell off, striking my head on the concrete floor. I saw Mike Ridolfi that day and mentioned the incident along with my concerns. Mike told me that we had to file a new ADA request because someone had "dropped the ball" on the first one. The first ADA request did not follow the proper channels, and as a result, it never became finalized. I guess this is what paved the way for me to be transferred back to operations.

I still am confused about the whole disability process because I am receiving conflicting messages. I was not told that I was on disability from June to December 2007. I figured because I was working throughout this period, I could not be classified as on disability. You told me that because I was on restrictive duty working only an eight hour shift, I was classified as on disability. I never once worked an eight hours shift during this time frame. I worked anywhere from 10 to 14 hours trying to get caught up on the mess that I was left with Nick Laroque's departure almost two months prior to my arrival. When I tried to call this recent claim in to Aetna, they told me that I was not on disability from June to December. How can UPS have me on disability and Aetna doesn't know about it? I didn't request to be on disability either. I also received a letter from Wendy Marshall that stated if I did not provide medical documentation, the ADA request would be dropped; it would be assumed that I was withdrawing my request. I also didn't know why I had to fill out this request after my doctor had furnished a letter stating my restrictions years earlier.

So here I am, once again on disability without having requested to be. I am suffering emotional stress as a result of this treatment. Just recently I was informed by a reliable source in H.R. that there is an ongoing effort to "administratively terminate" me. I think it is preposterous to think that someone is considering this. I have been a loyal UPS'er and my fault lies in my medical disposition. I don't know what to do at this point, but I am facing considerable mental hardship that seems to worsen with each passing day. I am tired of being told that there may not be a job for me. The organization I was once proud to say I worked for has turned on me. My illness has no bearing on how I should be treated. For years I never complained when I was subjected to hardships on the job. When my health deteriorated, the leaders who were there to protect me and see that I was taken care of soon turned against me.

I should only have to fight one battle – my illness. Because of the treatment I have received, the battles I fight are many. I am in fear of losing my job. My thoughts have been consumed with the words, "We may not have a job for you". You have mentioned this to me as well Kevin. I am very confused and troubled. I have had to endure mental and emotional stress by those who are considered my partner. I was told by Aetna that I am on short-term disability, yet you told me that I am on long term disability. I am confused and feel that once again I am being treated inappropriately. I cannot navigate the disability process because UPS tells me one thing and Aetna tells me another. I am confused by the process, the treatment towards me, and also the things I have been told. I am just waiting around for a letter telling me that I have been terminated after 21 years of service. I receive calls every week asking if I have been terminated.

I am sure those that I have mentioned in this letter will deny the allegations I have made. To satisfy your own curiosity you must speak to Paul Turner. He will tell you what was said about our illness and how small and insignificant we felt when told that our disease was causing UPS a problem. My wife, who I am presently divorcing right now, will tell you how Tom Soregaroli painted himself as a caring associate over the phone, only to use the information about my medication against me. My wife has nothing to gain from lying as we are presently engaged in a very difficult divorce. She has pure hatred for Tom Soregaroli for what he did to me and my family. He was promoted after I was busted down to supervisor. His plan was quite effective.

I have lost weight and isolated myself because of this ongoing treatment. My world is a very dark place right now. The ultimate torture has been that which has affected my mental state. I have been subjected to embarrassment, ridicule, threats, and substantial loss of income over the years. The end result is where I am presently suffering severe emotional distress as a result of the combination of these events. I have lost my family, wife, kids, but also myself. Now it seems as if my job will be my next loss. This treatment has unearthed many demons from my past. I no longer believe this organization to be filled with men and women who are my partner. I am at the point now where I have no one to turn to. I am very alone, and my destiny lies in the hands of those I have given up believing in long ago. The only glimmer of light throughout this process has been my immediate Manager, Bob Rizzo. He calls every week and shows concern of my well being. He tells me first and foremost is my health, and that UPS comes last. Bob has been able to explore the part of him that makes him human.

In the letter you sent to me on 4 February 2008, you mentioned that your records do, in fact, reflect that I was approved for short term benefits under UPS' Income Protection Plan ("IPP"). You stated that I provided medical documentation at this time. I don't recall having done that. I would like to see a copy of that documentation. Furthermore, I would like to mention that you have refused to make reasonable accommodations as required under the Americans with Disabilities Act.

Sincerely,

John K. Welch

John K. Welch

Cc: Doug Trandiak
Irene Gordon
Robert Rizzo
File

Exhibit 50

Craig Owen - Phone Call
HR MgR
6/18/08 3:30 PM

John Welch -

never told why -
I wasn't the one who demoted him
issues - service failure issues
• ability to get the sales down

might have met with him -
talk about his new job -

who replaced him?

never asked

Paul Turner 6/24/08

S/w Paul about CWCE comment & mtg together with John Welch

He said a meeting like that & his comments about your disease & etc.

never happened
Would remember a comment like that
would stay with you —

Never made that inquiry or comment

CUCE TUES 6/10/
→ 202-270-1692

WELCH →
DONT REMBER CONVERSATION
VERBAGE I WOULDNT USE
HE WANTED TO KEEP WORKING

BOTH W KENSINGTON
• MAYBE RESULTS → YOUR RESULTS
LOOKED OUT FOR THEM

PUT JOHN W CLERK & CC
CAUSE HE WAS REAL SICK - DIDNT WANT HIM TO DIE
- S/W HIM - HE WAS UPSET WE PUT HIM IN CLERKS
JOBS - FELT HE WAS OUT OF THE GAME -

JOHN & I NEVER HAD AN ISSUE
WOULDNT TALK ABOUT THEIR DISEASE -

DEMOTED BEFORE CUCE GOT THERE
SOMETHING TO DO WITH MAYBE ORIGIN SCANNING
DONE SOMETHING WACKEY -

2003 JUNE - TOOK OVER FOR SANFORD
03-04 THEN HASSAU
MAY 04 —
WELCH - KENSINGTON ON CAR - EARLY WHEN DILIBERO
HE WANTED TO KEEP WORKING ↳ 05

WELCH

VAC WEEK BEFORE LAST

MOTHER SICK

NEVER REPORTED ALL LAST WEEK

6/20 S/W WELCH - 6/MONTH'S

STEVE TOLD KEVIN TODAY 8/9

LETTER:

Expecting You To Return

Contact immediately

LETTER - PROFILES

Shut Pay -

Mother Passed Away -

WISDSAHOUD: ~~NORFOLK~~ NORTHPORT L.I.

He " in VA HOSPT Since 29TH VA Hospt admitted -

Clow called Mazzolla - never got

MAZZOLLA CALLED THE GIRL FRIEND →

WELCH

4/24 LETTER
DALY - 8/23/00 DAMAGE INSP
8/28 OWEN - DEMOTED
NO REASON

CINDY MILLER - QUEST WHAT MED "
SCARGAROLLI - CALLED WIFE
CUCE - HIM & TURNER
DISEASE CAUSING ME A HUGE PROBLEM
TURNER - WHAT DOES HE SAY

RELIABLE HE SINCE

SLEEP APNIA -
MASSAU PRELORD - WORK & HR'S
DONT LIFT PACKAGES

NOTES FROM 1/31 MEETING

DIA CARDIOLIGIST RETURN HIM TO F DUTY

2/4 LETTER FROM DEANTA

DALY - DEMOTED CAUSE OF SVIR'S

TRANDIAK DOUG (CNY1DXT)

From: Miller Cindy J (CPN1CJM)
nt: Thursday, June 19, 2008 2:18 AM
To: TRANDIAK DOUG (CNY1DXT)
Subject: Re: John Welch

I did not...at least I don't think I did. I remember him as Kensington Ctr Mgr. Honestly don't know....
Cindy J. Miller
JPS VP
So Eur/Mid East/Afr
+39 02 50998900

From: TRANDIAK DOUG (CNY1DXT)
To: Miller Cindy J (CPN1CJM)
Sent: Wed Jun 18 23:01:49 2008
Subject: RE: John Welch

question, did you demote him and if you remember why ??

-----Original Message-----
From: Miller Cindy J (CPN1CJM)
Sent: Wednesday, June 18, 2008 4:52 PM
To: TRANDIAK DOUG (CNY1DXT)
Subject: Re: John Welch

Interesting that my name came up about medications with John. If my memory serves me correctly, John wore his "Ripley's-Belive-It-Or-Not" family history of being medical marvels on his sleeve and BRAGGeD in a macabre fashion to anyone who would listen about the unexplainable sudden deaths so many of the men in his family experienced. He wore the fact that he was still alive as the second biggest miracle of the Christian faith! Yet with all of that talk, I was under the impression he took NO medication. He led me to believe he didn't believe in that stuff the doctors said and he was a tough guy who didn't worry about it!
So, if he told someone about meds, it wasn't me. This email is the first I ever heard such a thing and is in complete contrast to my recollection....
What other folks seem to only remember talking to me once they get in trouble? As a matter of fact, now that I think about it...I was going through the heart issues with Carmine Mancuso at the time which sparked John to share with me his Vast knowledge about hearts...
I never asked...he just couldn't wait to let me know he was such an expert.
I assume we're talking about his heart...it's the only family history thing I knew about him...
Cjm
Cindy J. Miller
UPS VP
So Eur/Mid East/Afr
+39 02 50998900

From: TRANDIAK DOUG (CNY1DXT)
To: Miller Cindy J (CPN1CJM)
Sent: Wed Jun 18 22:28:37 2008
Subject: John Welch

Hello Cindy, see you are doing great things, now in Italy, wow !!
I have to figure out how we can get together about talking about John Welch from the Foster Ave Local Sort, some issues came up and he makes reference to being demoted and he was never told why, also he says that you were questioning him about medications he might have been taking and also had Tom Soregaroli call his wife to find out what med's he was on.

Message

We cant dial into Europe from the district but I have Maurice Pazmino looking into a way I can call you, also I spoke to craig owen as well regarding john.

Another item is we were doing some house cleaning and guess what we found, some of your UPS items in boxes from I guess when you went on that finance assignment to corp. So they are still here, guess when you come back to the states we can take care of that.

Doug Trandiak
Long Island District
Employee Relations Manager

TRANDIAK DOUG (CNY1DXT)

From: Miller Cindy J (CPN1CJM)
(nt: Wednesday, June 18, 2008 4:52 PM
To: TRANDIAK DOUG (CNY1DXT)
Subject: Re: John Welch

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never asked...he just couldn't wait to let me know he was such an expert.
assume we're talking about his heart...it's the only family history thing I knew about him...

Cjm
Cindy J. Miller
UPS VP
So Eur/Mid East/Afr
+39 02 50998900

From: TRANDIAK DOUG (CNY1DXT)
To: Miller Cindy J (CPN1CJM)
S t: Wed Jun 18 22:28:37 2008
S ject: John Welch

Hello Cindy, see you are doing great things, now in Italy, wow !!
have to figure out how we can get together about talking about John Welch from the Foster Ave Local Sort, some issues came up and he makes reference to being demoted and he was never told why, also he says that you were questioning him about medications he might have been taking and also had Tom Soregaroli call his wife to find out what med's he was on.

We cant dial into Europe from the district but I have Maurice Pazmino looking into a way I can call you, also I spoke to craig owen as well regarding john.

Another item is we were doing some house cleaning and guess what we found, some of your UPS items in boxes from I guess when you went on that finance assignment to corp. So they are still here, guess when you come back to the states we can take care of that.

Doug Trandiak
Long Island District
Employee Relations Manager

dillibero kevin (wne2kxd)

From: Wiederhold Steven (nyc1sxw)
Sent: Friday, October 31, 2008 1:24 PM
To: dillibero kevin (wne2kxd)

Kev,

On Thursday October 16th John Welch left me a message on my cellphone. He said " Steve, how are you? It's John Welch. Well I had some issues - major issues. Had to go into the VA. They put me in a lockdown lockward for like a month. I have another appointment next week and em should be back to work. Guess I'll talk to you when you get a chance. I'll give you a call back. If you don't get a chance to get back to me I'll call you early next week or when I go to the doctor. Thanks Steve I'll talk to you soon."

Steve